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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lekuch et al.

Serial No.: 09/854,980

For: DIGITIZER COMPANION SUBSYSTEM TO EXTEND PC BATTERY LIFE

Filed: May 14, 2001

Examiner: Chandrasekhar

Art Unit: 2115

Confirmation No.: 9084

Customer No.: 27,623

Attorney Docket No.: YOR920000701US1

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL FORM

Transmitted herewith is a Supplemental Response in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be $_____ to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	32	Minus	32	0	x $18.00	$
Independent Claims	4	Minus	4	1	x $86.00	$86.00
MULTIPLE DEPENDENT CLAIM FEE					x $290.00 =	$
TOTAL FEE FOR CLAIM CHANGES						$86.00
1/2 FILING FEE FOR SMALL ENTITY						$N/A

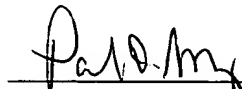The total fee for this amendment, including claim changes and any extension of time is calculated to be $ __0__ .

__ A check in the amount of $ __0__ is attached.

__X__ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 50-0510.** A duplicate copy of this Form is enclosed.

__September 2, 2004__
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SUPPLEMENTAL RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is supplemental to the Response to Non-final Office Action
filed on July 22, 2004 in reply to the first Office Action dated April 22, 2004.
Claims 1-32 are pending in the application. Reconsideration of this application is
respectfully requested.

Through an inadvertence, the last paragraph on page 2 of the Response
to Non-final Office Action contains an error. The last paragraph should read as
follows:

"For example, the Examiner says specifically on page 5 of the
Office Action that "The network controller and CPU together constitute of
the second computing device. The first computing device is viewed as

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the second computing device. The first computing device is viewed as another computer connected to the network that transfers information to the CPU via the network controller. The adaptive transfer policy is dictated by the suspend mode of the system." However, Mustafa in no way describes any adaptive transfer policy, which is in contrast to the claimed invention. In the system described by Mustafa if communication with a first computing device is in progress, the second computing device will not enter a suspend state. Ironically, this achieves exactly the opposite effect from the claimed invention since by not shutting down the computer more power is consumed. In the Mustafa, as described by the Examiner, the "first computing device" (the other computer connected to the network) has no way of knowing what the power state of the "first second computing device" is. Mustafa, therefore, does not describe an adaptive transfer policy based on the state of the system since the first computing device will always transmit at it's convenience. If the first second computing device is not in suspend mode it will respond, and if it in suspend mode it will not. But again it is important to note that the first computing device has absolutely no indication of the power state of the second system. It has no way of knowing if the system does not respond because it is a) off, b) in suspend, or c) hung up for some other reason."

An additional clarification of Mustafa may be helpful. In Mustafa, the system suspend state of the computer system is determined by polling devices within the computer system (see column 4, lines 22-39). External devices have no way to detect what the power state of the computer system is. All that the external devices might be able to see is if the computer system responds or not. As such, the external devices have no way to "respect" the power policy of the computer system and, therefore, the only thing they can do is keep it awake more. In the Examiner's citations, an external computer constantly sending information to the system network controller would result in the network controller always denying the suspend request with the result that the system would never

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enter suspend mode. Once the system is in suspend mode, it can choose to ignore the external network activity, but the device on the other side of the network has no idea if it is being ignored or if the link is broken, etc.,
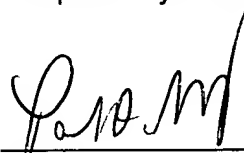
In contrast, in the claimed invention the external devices are alerted to the power policy of the computer system. Thus, the external devices can respect this policy by either backing off and allowing the PC system to sleep more frequently, or by transmitting information more frequently if power is not critical. If the system is in suspend mode, but the external device has an urgent request it may still be able to wake the system up by choosing to transmit a packet (interrupt requests are not masked out).

For the additional reason set forth above, it is submitted that the rejection of claims 1-32 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

It is respectfully requested for the reasons set forth above and in the Response to Non-final Office Action that the rejection under 35 U.S.C. 103(a) be withdrawn, that claims 1-32 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 9-2-04

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